

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:08-CR-163
)	VARLAN/GUYTON
ROBERT L. DAIES,)	
)	
Defendant.)	

ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case came before the Court on February 5, 2009, for a hearing scheduled to address Defendant's Motion to Suppress [Doc. 13]. However, at the hearing the Defendant made an oral motion for new counsel. The Court found the attorney-client relationship between the Defendant and his former counsel to be irretrievably broken and granted the motion for new counsel [Doc. 19]. Attorney Robert Kurtz accepted appointment in this case, and the Court advised Attorney Kurtz to review the previously filed Motion to Suppress [Doc. 13] and inform the Court whether the motion would be pursued.

On March 9, 2009, Attorney Kurtz contacted chambers and informed the Court that the Motion to Suppress [Doc. 13] was moot, as the parties had reached a tentative plea agreement. Attorney Kurtz stated that a change of plea hearing has been scheduled with the District Court.

The Defendant has represented to the Court that he wishes to withdraw the Motion to Suppress [**Doc. 13**], and in light of the pending change of plea, the Court finds the motion is now moot. Accordingly, it is **DENIED AS MOOT**.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge